



**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097**

IN REPLY REFER TO:

DEC 12 2008

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

MOLOKAI

Conveyance of Remnant E-5, East Molokai Road, Federal Aid Secondary Project No. 2-A(1), Kaunakakai-Kamalo, Molokai, Tax Map Key: (2) 5-4-02:Road (Portion)

REQUEST:

Authorization to convey subject Property, designated as Remnant E-5, East Molokai Road, Federal Aid Secondary Project No. 2-A(1), Kaunakakai-Kamalo, Molokai, Tax Map Key: (2) 5-4-02:Road (Portion) as shown on Exhibit A to Dorothy Piekarcz by quitclaim deed.

LEGAL REFERENCE:

Section 171-52 and other applicable sections of Chapter 171, Hawaii Revised Statutes, as amended.

LOCATION:

The Property is an old government road remnant of East Molokai Road also known as Kamehameha V Highway, Federal Aid Secondary Project No. 2-A(1), Kaunakakai-Kamalo, Molokai and is situated on the makai side of Kamehameha V Highway between Tax Map Key: (2) 5-4-02: 050 and Tax Map Key: (2) 5-4-02: 005.

AREA:

Approximately 10,977 square feet, more or less as shown on Exhibit B (subject to confirmation by the Department of Transportation, Design Branch, Cadastral Section).

ZONING:

Interim

DEC 12 2008

LAND TITLE STATUS:

Ceded, Class B, DHHL 30% entitlement lands pursuant to the Hawaii State Constitution.

CURRENT USE STATUS:

Highway and maintenance purposes.

COMMENCEMENT DATE:

Execution date of quitclaim deed.

COMPENSATION:

One-time lump sum payment, based on appraisal of fair market value, to be determined by independent or staff appraiser.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Not applicable. Subject lands are to be conveyed to abutting landowner(s) and will become privately owned land at that point. Chapter 343, HRS, would not apply to any future development on the Property as no State lands would be involved.

REMARKS:

The Department of Transportation (DOT) has deemed the Property surplus to the needs of the Highways Division. The DOT has complied with all applicable statutory requirements and offered the Property to all abutting owners, of which only Dorothy Piekarz indicated an interest in purchasing the Property.

DEC 12 2008

RECOMMENDATION:

That the Board authorize the conveyance of the Property to Dorothy Piekarz for her private use, subject to the following:

1. The standard terms and conditions of the most current deed form;
2. Review and approval by the Department of the Attorney General;
3. Such other terms and conditions as may be prescribed by the DOT Director to best serve the interests of the State;
4. The Property shall be conveyed in an “as is” condition and the State makes no warranty or representation about its condition or the presence of hazardous materials on, under or about the same; and
5. Dorothy Piekarz must consolidate the Property into the parcel she owns that abuts the Property (13,983 square-foot site, tax map key (2) 5-4-2:050).

Respectfully Submitted,



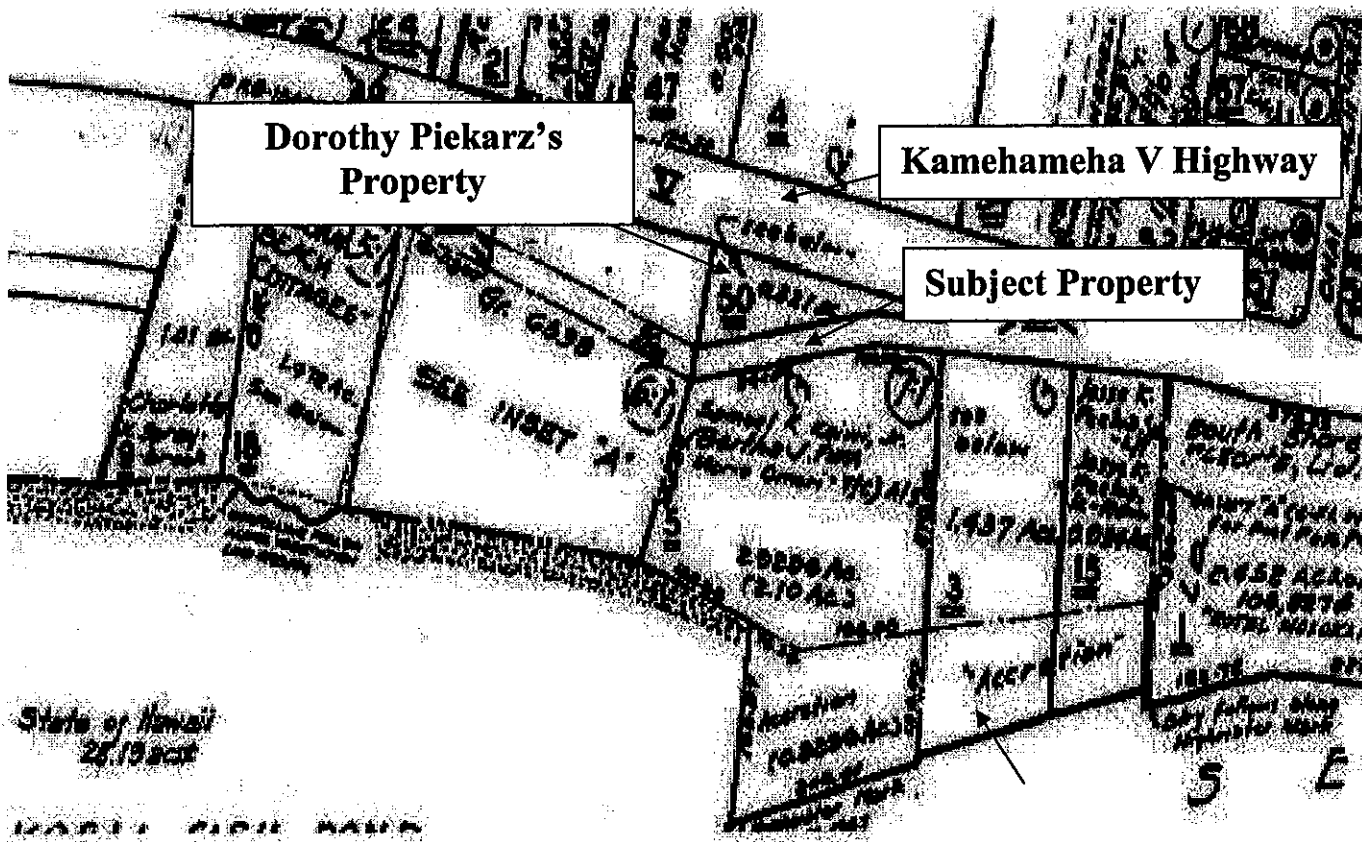
BRENNON T. MORIOKA
Director of Transportation

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson

DEC 12 2008



TMK (2) 5-4-02:Road (Portion)

EXHIBIT A

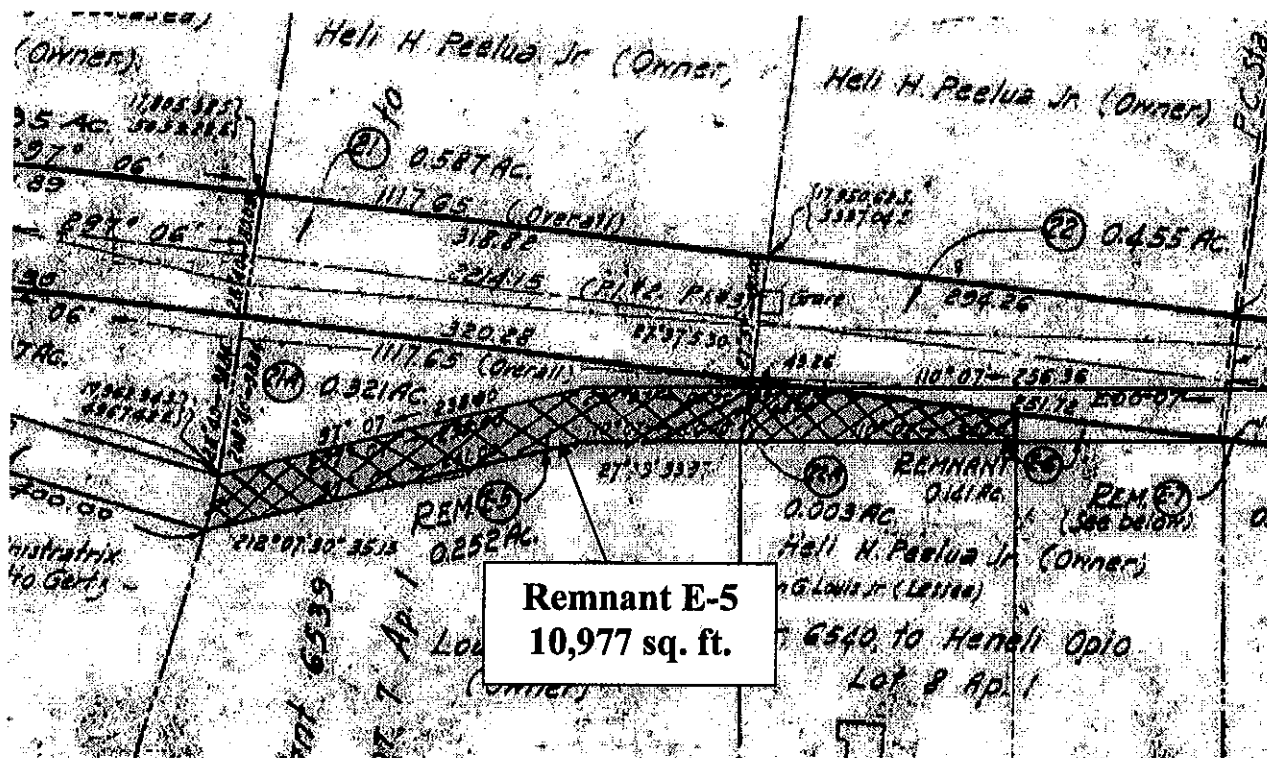


EXHIBIT B